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Filed September 26, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
Senior Administrative Patent Judge McKelvey

ROBERT H. **GRUBBS** and TINA M. TRNKA,

Junior Party
(Patent 6,426,419 B1 and
Patent 6,624,265 B1),

v.

WOLFGANG ANTON **HERRMANN**,
WOLFGANG SCHATTENMANN and THOMAS WESKAMP,

Senior Party
(Application 10/630,552 and
Application 11/021,967).

Patent Interference No. 105,364
Patent Interference No. 105,365
Technology Center 1600

Before McKELVEY, Senior Administrative Patent Judge, and
HANLON and NAGUMO, Administrative Patent Judges.

NAGUMO, Administrative Patent Judge.

In view of the DECISION – Interlocutory Motions
Bd.R. 125(b) (Paper 72) and the REDECLARATION – Bd.R. 203
(Paper 73), it is:

ORDERED that adverse judgment as to priority is
5 entered against Grubbs.

FURTHER ORDERED that Robert H. Grubbs and Tina M.
Trnka are not entitled to a patent containing claims 1–35
of U.S. Patent 6,426,419.

FURTHER ORDERED that Robert H. Grubbs and Tina M.
10 Trnka are not entitled to a patent containing claims 1–20
of U.S. Patent 6,624,265.

FURTHER ORDERED that a copy of this Decision
shall be placed in the files of U.S. Patent 6,426,419
B1, U.S. Patent 6,624,265 B1, U.S. Application
15 10/630,552, and U.S. Application 11/021,967.

FURTHER ORDERED that if there is a
settlement not of record in this interference, the
attentions of the parties are directed to 35 U.S.C.
§ 135(c) and Bd.R. 205.

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/ss/ Fred E. McKelvey)
FRED E. McKELVEY)
Senior Administrative Patent Judge)

15

/ss/ Adriene Lepiane Hanlon) BOARD OF
ADRIENE LEPIANE HANLON) PATENT
Administrative Patent Judge) APPEALS AND
INTERFERENCES)

20

/ss/ Mark Nagumo)
MARK NAGUMO)
Administrative Patent Judge)

Interference 105,364 and 105,365
Grubbs v. Herrmann

Paper 74

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